

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8, 10-17, and 19-31 are presently pending in this case. Claims 1, 10, and 19-24 are amended by the present amendment. As amended Claims 1, 10, and 19-24 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, the specification was objected to; Claims 1-8, 10-17, and 19-31 were rejected under 35 U.S.C. section §112, second paragraph; Claims 19-23 were rejected under 35 U.S.C. §101; Claims 1-6, 10-15, 19-22, and 24-29 were rejected under 35 U.S.C. §103(a) as unpatentable over Yuji (Japanese Patent Publication No. 2003-173278) in view of Schran et al. (U.S. Patent Application Publication No. 20020143770, hereinafter “Schran”); and Claims 7, 8, 16, 17, 23, 30, and 31 were rejected under 35 U.S.C. §103(a) as unpatentable over Yuji in view of Schran and further in view of Wright, Jr. et al. (U.S. Patent Application Publication No. 20040122873, hereinafter “Wright”).

Applicants and Applicants’ representatives thank Examiners Hoang and Pannala for the courtesy of the interview granted to Applicants’ representatives on November 12, 2008. During the interview, differences between the claims and the cited references were discussed, as well as a proposed amendment to the independent claims. This proposed amendment is presented herewith.

With respect to the objection to the specification, Claims 19-23 are amended to recite a “computer storage medium.” Accordingly, the objection to the specification is believed to be overcome.

With regard to the rejections of Claims 1-8, 10-17, and 19-31 under 35 U.S.C. section §112, second paragraph, it is respectfully submitted that there is no requirement for claim to

¹See, e.g., the specification at page 89, lines 14-18.

spell out every contingency, and in fact no authority has been cited for such a requirement.

As the present claims recite definite contingent claim elements, Claims 1-8, 10-17, and 19-31 are believed to be in compliance with all requirements under 35 U.S.C. section §112, second paragraph. If the present rejection is to be maintained, it is respectfully requested that authority be cited in the next office communication holding that a claim is indefinite if every contingency is not described.

With regard to the rejection of Claims 19-23 under 35 U.S.C. §101, Claims 19-23 are amended to recite a “computer storage medium.” Accordingly, Claims 19-23 are compliance with all requirements under 35 U.S.C. §101.

With regard to the rejection of Claim 1 as unpatentable over Yuji in view of Schran, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

copying means for copying data from an external storage medium;
data attribution detection means for detecting attribution of storing-target data;
control means for setting deletion-target priority of said data based on said attribution, ***said control means setting said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from the external storage medium.***

The outstanding Office Action conceded that Yuji does not describe this feature, and cited Schran as describing this subject matter.² However, Schran describes that only ***certain*** cookies will be removed, and others on a “trustlist” will ***not*** be removed even though they were copied from an external source. Thus, Schran does not describe any element that sets a deletion target priority to high ***for all data copied from an external storage medium.*** Therefore, it is respectfully submitted that neither Yuji nor Schran teach or suggest “control

²See the outstanding Office Action at page 9, line 9 to page 10, line 7.

means” as defined in amended Claim 1. Consequently, Claim 1 (and Claims 2-8 dependent therefrom) is patentable over Yuji in view of Schran.

Amended Claims 10 and 19 recite in part:

copying data from an external storage medium;
detecting attribution of storing-target data;
setting deletion-target priority of said data based on said attribution, ***said setting including setting said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from the external storage medium.***

As noted above, Schran describes that only ***certain*** cookies will be removed, and others on a “trustlist” will ***not*** be removed even though they were copied from an external source. Thus, Schran does not describe setting a deletion target priority to high ***for all data copied from an external storage medium.*** Therefore, it is respectfully submitted that Schran does not teach or suggest “determining deletion-target priority” as defined in amended Claims 10 and 19. As conceded in the outstanding Office Action, Yuji does not teach or suggest this feature either. Consequently, Claims 10 and 19 (and Claims 11-17 and 20-23 dependent therefrom) are also patentable over Yuji in view of Schran.

Amended Claim 24 recites in part:

a copying unit configured to copy data from an external storage medium;
a data attribution detection unit configured to detect attribution of storing-target data;
a control unit configured to set deletion-target priority of said data based on said attribution, ***said control unit configured to set said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from the external storage medium.***

As noted above, Schran describes that only ***certain*** cookies will be removed, and others on a “trustlist” will ***not*** be removed even though they were copied from an external source. Thus, Schran does not describe setting a deletion target priority to high ***for all data copied from an external storage medium.*** Thus, it is respectfully submitted that Schran does

not teach or suggest "a control unit" as defined in amended Claim 24. As conceded in the outstanding Office Action, Yuji does not teach or suggest this element either. Consequently, amended Claim 24 (and Claims 25-31 dependent therefrom) is patentable over Yuji in view of Schran.

With regard to the rejection of Claims 7, 8, 16, 17, 23, 30, and 31 as unpatentable over Yuji in view of Schran and further in view of Wright, it is noted that Claims 7, 8, 16, 17, 23, 30, and 31 are dependent from Claims 1, 10, 19, and 24, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Wright does not cure any of the above-noted deficiencies of Yuji and Schran. Accordingly, it is respectfully submitted that Claims 7, 8, 16, 17, 23, 30, and 31 are patentable over Yuji in view of Schran and further in view of Wright.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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